

DETAILED ACTION

1. The instant application is a national stage entry of PCT/SE05/00010, filed 5 January 2005.

Election/Restrictions

2. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-4, 6-9, 11, 13, 15, 17-18, drawn to a compound of formula I in which variable L¹ is cyclohexylene and R⁵ is phenyl (monocyclic and substituted or unsubstituted) or naphthyl, a composition comprising the same, a method of using the same, and a method of preparing the same.

Group II, claim(s) 1-4, 6-9, 11, 13, 15, 17-18, drawn to a compound of formula I in which variable L¹ is cyclohexylene and R⁵ is thiophene or benzothiophene, a composition comprising the same, a method of using the same, and a method of preparing the same..

Group III, claim(s) 1-4, 6-9, 11, 13, 15, 17-18, drawn to a compound of formula I in which variable L¹ is cyclohexylene and R⁵ is indole, a composition comprising the same, a method of using the same, and a method of preparing the same..

Group IV, claim(s) 1-4, 6-8, 11, 13, 15, 17, 18, drawn to a compound of formula I in which variable L¹ is cyclohexylene and R⁵ is pyridine, a composition comprising the same, a method of using the same, and a method of preparing the same..

Group V, claim(s) 1-8, 11, 13, 15, 17-18, drawn to a compound of formula I in which variable L¹ is cyclohexylene and R⁵ is heterocyclic group selected from furyl, pyrrolyl, quinolinyl, imidazolyl, benzimidazolyl, thiazole, thiadiazole, pyrimidine, pyrazole, oxazole, or indazole and any fused variants of the preceding rings recited in the claim, a composition comprising the same, a method of using the same, and a method of preparing the same (a compound of this group is not embraced by a compound of any one of groups I-IV).

Group VI, claim(s) 16, drawn to a compound of formula II in which variable L¹ is cyclohexylene.

Group VII, claim(s) 16, drawn to a compound of formula II in which variable L¹ is a (CH₂)₀₋₃C₃₋₁₀-cycloalkyl group (a compound of this group is not embraced by a compound of group VI).

3. The inventions listed as Groups I-VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical

features for the following reasons: formulae I and II do not display significant structural elements. The only required elements in these formulae are an NR² group attached to the 2-position of quinazoline. Variables L¹ and R⁵ are the variables which contribute the lack of structurally significant elements. Sixteen distinct chemical groups exist for variable L¹ (two for (CH₂)_p an 8 for C₃₋₁₀-cycloalkyl) and five chemical groups for L² (alkyl, a 5 membered carbocyclic ring, a 5-membered heterocyclic ring, a 6-membered carbocyclic ring, and a 6-membered heterocyclic ring). Variable L¹ can be as simple as a cyclopropylene ring or as complex as an alkylene-cyclodecane linker. Variable R⁵ can either be a carbocyclic or heteroaromatic ring system. Formula II does not require variable R⁵ but still lacks structurally significant elements due to the required presence of variable L¹. Further restriction may be necessary.

4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NOBLE JARRELL whose telephone number is (571)272-9077. The examiner can normally be reached on M-F 7:30 A.M - 6:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson can be reached on (571) 272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Noble Jarrell/
Examiner, Art Unit 1624